

House Amendment 1438

PAG LIN

1 1 Amend House File 682, as passed by the House, as
1 2 follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 <Sec. _____. Section 602.8108, subsection 3, Code
1 6 2005, is amended to read as follows:
1 7 3. The clerk of the district court shall remit to
1 8 the state court administrator, not later than the
1 9 fifteenth day of each month, ninety-five percent of
1 10 all moneys collected from the criminal penalty
1 11 surcharge provided in section 911.1 during the
1 12 preceding calendar month. The clerk shall remit the
1 13 remainder to the county treasurer of the county that
1 14 was the plaintiff in the action or to the city that
1 15 was the plaintiff in the action. Of the amount
1 16 received from the clerk, the state court administrator
1 17 shall allocate ~~eighteen~~ seventeen percent to be
1 18 deposited in the victim compensation fund established
1 19 in section 915.94, and ~~eighty-two~~ eighty-three percent
1 20 to be deposited in the general fund.
1 21 Sec. _____. Section 602.8108, Code 2005, is amended
1 22 by adding the following new subsection:
1 23 NEW SUBSECTION. 9. A criminalistics laboratory
1 24 fund is created as a separate fund in the state
1 25 treasury under the control of the department of public
1 26 safety. The fund shall consist of appropriations made
1 27 to the fund and transfers of interest, and earnings.
1 28 All moneys in the fund are appropriated to the
1 29 department of public safety for use by the department
1 30 in criminalistics laboratory equipment purchasing,
1 31 maintenance, depreciation, and training. Any balance
1 32 in the fund on June 30 of any fiscal year shall not
1 33 revert to any other fund of the state but shall remain
1 34 available for the purposes described in this
1 35 subsection.>
1 36 #2. Page 2, by inserting after line 5 the
1 37 following:
1 38 <Sec. _____. Section 911.1, subsection 1, Code 2005,
1 39 is amended to read as follows:
1 40 1. A criminal penalty surcharge shall be levied
1 41 against law violators as provided in this section.
1 42 When a court imposes a fine or forfeiture for a
1 43 violation of state law, or a city or county ordinance,
1 44 except an ordinance regulating the parking of motor
1 45 vehicles, the court or the clerk of the district court
1 46 shall assess an additional penalty in the form of a
1 47 criminal penalty surcharge equal to ~~thirty~~ thirty-two
1 48 percent of the fine or forfeiture imposed.>
1 49 #3. Title page, lines 1 and 2, by striking the
1 50 words <upon the entry of a deferred judgment> and
2 1 inserting the following: <and criminal penalty
2 2 surcharge, and creating a criminalistics laboratory
2 3 fund>.
2 4 #4. By renumbering, relettering, or redesignating
2 5 and correcting internal references as necessary.
2 6 HF 682.S
2 7 jm/cc/26